

FILED  
Clerk  
District Court

JUN 30 2008

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS

For The Northern Mariana Islands  
By \_\_\_\_\_

(Deputy Clerk)

UNITED STATES OF AMERICA,

Civil Action No. 08-0015

Plaintiff,

vs.

Order Re Case Management  
Conference

SABLAN CONSTRUCTION COMPANY,  
LTD. and SABLAN ENTERPRISES, INC.,

Defendant.

Mikel W. Schwab  
United States Attorney  
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108 Hernan Cortes Avenue  
Hagatna, Guam, 96910

Perry C. Inos  
Attorney at Law  
P.O. Box 502017  
Saipan, MP 96950

In accordance with Federal Rule of Civil Procedure 16 and Local Rule 16.2CJ,  
each of the above-named shall be present at the Case Management Conference, set for  
Monday, July 21, 2008, at 8:30 a.m.

The parties shall be prepared to discuss:

- (a) Service of process on parties not yet served;
- (b) Jurisdiction and venue;
- (c) Track assignment;
- (d) Anticipated motions;
- (e) Anticipated or remaining discovery, including (1) limitation on discovery, (2) and provisions for disclosure or discovery of electronically stored information; and, (3) any agreements the parties reach for asserting claims of

privilege or of protection as trial-preparation material after production;

- (f) Further proceedings, including setting dates for discovery cut-off, pretrial and trial;
- (g) Appropriateness of special procedures such as consolidation of actions for discovery or pretrial, reference to a master or to arbitration, or to the Judicial Panel on Multi-district Litigation, or application of the Manual for Complex Litigation;
- (h) Modifications of the standard pretrial procedures specified by this Plan on account of the relative simplicity or complexity of the action or proceeding;
- (i) Settlement prospects;
- (j) Any other matter which may be conducive to the just, efficient, and economical determination of the proceedings, including the definition or limitation of issues; and,
- (k) Setting of dates for:
  - 1. Joinder of all parties,
  - 2. Motions to amend,
  - 3. Discovery cut-off,
  - 4. Status Conferences,
  - 5. Discovery motion hearing date,
  - 6. Dispositive motion cut-off,
  - 7. Dispositive motion hearing date,
  - 8. Settlement conference,
  - 9. Joint pretrial order,
  - 10. Final pretrial order,
  - 11. Trial.

The Court recommends that this case be assigned to the Standard track as defined by Local Rule 16.2CJ.c.

The parties are reminded that the dates chosen at the conference will not be susceptible to subsequent easy change. Fed.R.Civ.P.16(b)(6) provides in part that a case management scheduling order "shall not be modified except upon a showing of good

1 cause and by leave of the district judge[.]” To establish good cause, a party must generally  
2 show that even with the exercise of due diligence it cannot meet the order’s time table.  
3 See e.g. Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9<sup>th</sup> Cir. 1992). The  
4 liberal amendment policy of Fed.R.Civ.P. 15 no longer obtains once the case management  
5 scheduling order has been entered. See Coleman v. Quaker Oats Co., 232 F.3d 1271,  
6 1294 (9<sup>th</sup> Cir. 2000).  
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8 IT IS SO ORDERED.

9 DATED this 30<sup>th</sup> day of June, 2008.  
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12 ALEX R. MUNSON  
13 Judge  
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